

# Notice of Allowability

Application No.

09/040,825

Examiner

Marie R. Yamnitzky

Applicant(s)

FRYBERG ET AL.

Art Unit

1774

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephonic Interview on February 08, 2007.
2. ☒ The allowed claim(s) is/are 3,4,6-13 and 15-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 02082007.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

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An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on February 08, 2007, Dara Onofrio requested an extension of time for a third MONTH (an extension of time for two MONTHS having been previously requested and paid for) and authorized the Director to charge Deposit Account No. 5015-41 the required fee of \$570 for this extension (\$1020 minus \$450 previously paid) and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

This examiner's amendment is made in lieu of a formal written response to the advisory action mailed February 05, 2007.

The claims having been amended as follows:

- 1-2. (Canceled)
3. (Previously Presented) A recording sheet for ink jet printing according to claim 12 wherein said layer forms a film.
4. (Previously Presented) A recording sheet for ink jet printing according to claim 12 wherein said layer further contains a crosslinking agent.

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5. (Canceled)

6. (Previously Presented) A recording sheet according to claim 12 wherein said binder or binders are selected from the group consisting of polyvinyl alcohol, gelatine, starch, carboxymethyl cellulose, hydroxyethyl cellulose, hydroxypropyl cellulose, hydroxymethyl cellulose, methoxyethyl cellulose, gum arabic, polyvinyl pyrrolidone, polyvinyl-methyl pyrrolidone and casein.

7. (Previously Presented) A recording sheet according to claim 12 wherein said binder or binders are selected from the group consisting of polymers or copolymers derived from acrylic acid and esters of acrylic acid.

8. (Previously Presented) A recording sheet according to claim 4 wherein said crosslinking agent is selected from the group consisting of triazine derivatives, epoxides, aldehydes, vinyl sulfones and carbamoyl derivatives.

9. (Currently Amended) A recording sheet according to claim 4 wherein said crosslinking agent is selected from the group consisting of triazine derivatives ~~and~~, and carbamoyl derivatives.

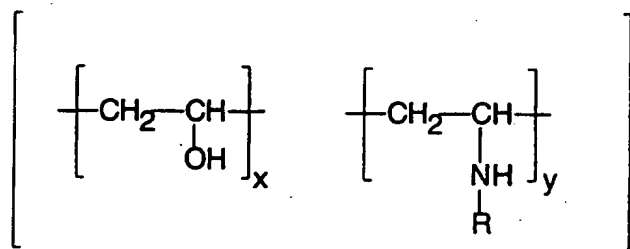
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10. (Previously Presented) A recording sheet according to claim 4 wherein said crosslinking agent is hydroxy-dichloro-1,3,5-triazine or 2-(4-dimethylcarbamoylpyridino)-ethane-sulfonic acid.

11. (Previously Presented) A recording sheet according to claim 12 where R is CH<sub>3</sub>.

12. (Currently Amended) A recording sheet for ink jet printing comprising a support coated with at least one layer receptive for aqueous inks; wherein said layer contains:

(a) at least one copolymer of the general structure:



where

R = alkyl with 1-6 carbon atoms

$x + y = 1$

$y = 0.05-0.2$

$x = 0.8-0.95$ ; and

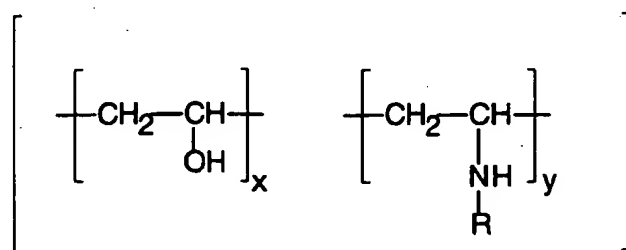
(b) a binder of mixture of binders;

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(c) wherein ~~the quantity of said copolymer is between 10 to 75 weight % of the combined amount of said copolymer and binder and~~ said layer provides the sheet with enhanced light fastness properties.

13. (Currently Amended) A recording sheet for ink jet printing comprising a support coated with at least one layer receptive for aqueous inks; wherein said layer consists essentially of:

(a) at least one copolymer of the general structure:



where R = H or alkyl with 1-6 carbon atoms

$$x + y = 1$$

$$y = 0.05-0.2$$

$$x = 0.8-0.95; \text{ and}$$

(b) a binder consisting of gelatin, and

(c) wherein the quantity of said copolymer is between about 12 to 70 weight % of the combined amount of said copolymer and gelatin and said layer provides the sheet with enhanced light fastness properties.

14. (Canceled)

15. (Currently Amended) A recording sheet according to Claim 13 wherein said gelatin is selected from the group consisting of acid pigskin, limed bone gelatin, acid or base hydrolysed gelatins, ~~derivatised gelatins such as~~ phthaloylated, acetylated or carbamoylated gelatine; or ~~derivatised gelatin with trimellitic acid~~ gelatin that is derivatised with trimellitic acid.

16. (Previously Presented) A recording sheet according to Claim 13 wherein said layer further contains a crosslinking agent.

17. (Previously Presented) A recording sheet according to Claim 13 wherein said layer further contains fillers selected from the group consisting of kaolin, talcum, calcium or barium carbonates, silica, titanium oxide, chalk, bentonite, zeolite, aluminium silicate, calcium silicate, silicium oxide, colloidal silicium oxide or polymer beads.

18. (Previously Presented) A recording sheet according to Claim 13 wherein said layer further contains water soluble metal salts selected from the group consisting of the salts of calcium, barium, magnesium or the salts of the rare earth metal series.

19. (Currently Amended) A recording sheet according to Claim 13 wherein said layer further contains a surfactant selected from the group consisting of saponin, alkylene oxide

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derivatives, polyethylene glycol, polyethylene glycol/polypropylene glycol condensates, polyethylene glycol alkyl or alkylaryl ethers, polyethylene glycol esters, polyethylene glycol sorbitol esters, polyalkylene glycol alkylamine or amides or silicone/polyethylene oxide adducts, ~~glycidol derivatives such as~~ alkenylsuccinic acid polyglycerides or alkylphenol polyglycerides, aliphatic esters of polyhydric alcohols, alkyl esters ~~or of~~ sucrose, urethanes or ethers, ~~sulphuric acid ester group or phosphoric acid ester group such as triterpenoid type saponin,~~ alkylcarboxylates, alkyl-sulfonates, alkylbenzenesulfonates, alkyl naphthalenesulfonates, alkyl sulphuric acid esters, alkyl phosphoric acid esters, N-acyl-N-alkyltaurines, sulfo-succinates, sulfoalkylpolyoxyethylene, alkyl phenyl ethers or polyoxyethylene alkyl ~~phosphates and phosphates~~, cationic surface agents, ~~such as~~ alkylamine salts, aliphatic or aromatic quaternary ammonium salts, ~~such as~~ pyridinium or imidazolium salts, or sulphonium salts containing an aliphatic or heterocyclic ring, or fluorinated or perfluorinated derivatives of the mentioned compounds.

20. (Canceled)

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This examiner's amendment cancels claim 14 and incorporates the changes to claims 9, 12, 13, 15 and 19 as set forth in the proposed amendment filed January 11, 2007 (which will not be entered). This examiner's amendment makes further changes to claim 19, and cancels claim 20.

Claims 3, 4, 6-13 and 15-19 are allowed. Allowed claims 12, 3, 4, 8-10, 6, 7, 11, 13 and 15-19 are renumbered as 1-15, respectively.

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 7:00 a.m. to 3:30 p.m. Monday-Friday.

The current fax number for all official faxes is (571) 273-8300. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

MRY  
February 08, 2007



MARIE YAMNITZKY  
PRIMARY EXAMINER

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